

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

HERMAN LEON BRICKEY,

Plaintiff,

v.

AMAZON.COM, INC.et al.,

Defendants.

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CIVIL ACTION NO. SA-13-CA-961-XR

ORDER

On this date, the Court considered pro se Plaintiff's motion. Doc. No. 21. Plaintiff seeks to submit evidence that Defendants willfully infringed his copyright. Neither party has yet filed a motion for summary judgment under Rule 56 of the Federal Rules of Civil Procedure. Accordingly, it is premature for this Court to review Plaintiff's evidence on willful infringement and the motion is DENIED.

To the extent that pro se Plaintiff's motion could liberally be construed as a motion for leave to amend his complaint to add a claim for willful infringement, the Court notes that it has already construed Plaintiff's complaint to be asserting a willful infringement claim.

SIGNED this 31st day of January, 2014.



XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE